

AO 440 (Rev 1/90) Summons in a Civil Action

# United States District Court

SOUTHERN

NEW YORK

DISTRICT OF

MASON TENDERS DISTRICT COUNCIL  
WELFARE FUND, et al.,

Plaintiffs,

## SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER 07 CV

6600

YORK HUNTER INC., YORK HUNTER MANAGEMENT LLC,  
KENNETH CALAO d/b/a YORK HUNTER MANAGEMENT LLC,  
and KENNETH CALAO,

Defendants.

**Judge Pauley**

TO: (Name and Address of Defendant)

YORK HUNTER INC.  
1372 BROADWAY, 17TH FLOOR  
NEW YORK, NEW YORK 10018

YORK HUNTER MANAGEMENT LLC  
1372 BROADWAY, 17TH FLOOR  
NEW YORK, NEW YORK 10018

**YOU ARE HEREBY SUMMONED** and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

GORLICK, KRAVITZ & LISTHAUS, P.C.  
17 STATE STREET, 4TH FLOOR  
NEW YORK, NEW YORK 10004

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

**J. MICHAEL McMAHON**

**JUL 23 2007**

CLERK

DATE

BY DEPUTY CLERK

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and KENNETH CALAO,

Defendants.

TO: (Name and Address of Defendant)

KENNETH CALAO d/b/a/ YORK HUNTER MANAGEMENT LLC  
1372 BROADWAY, 17TH FLOOR  
NEW YORK, NEW YORK 10018

KENNETH CALAO  
1372 BROADWAY, 17TH FLOOR  
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17 STATE STREET, 4TH FLOOR  
NEW YORK, NEW YORK 10004

20

an answer to the complaint which is herewith served upon you, within \_\_\_\_\_ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

MAILED 10/1/07

CLERK

DATE

BY DEPUTY CLERK



# Demovsky Lawyer Service

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and Process Service Company

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MASON TENDERS DISTRICT COUNCIL  
WELFARE FUND, et al.,

Plaintiff(s),

-against-

AFFIDAVIT OF SERVICE  
07 CV 6600

YORK HUNTER INC., YORK HUNTER  
MANAGEMENT LLC, et al.,

Defendant(s).

-----X  
STATE OF NEW YORK )  
S.S.:  
COUNTY OF ALBANY )

DEBORAH LaPOINTE, being duly sworn, deposes and says that she is over the age of eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 26<sup>TH</sup> day of July, 2007, at approximately the time of 12:30P.M., at the office of the Secretary of State, of the State of New York in the City of Albany, New York, deponent served the SUMMONS AND COMPLAINT AND JUDGES' RULES upon YORK HUNTER INC., the defendant in this action, by delivering to and leaving with DONNA CHRISTIE an agent of the Secretary of State, of the State of New York, two (2) true copies thereof and at that time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to Section, 306 Business Corporation Law.

Deponent further says that she knew the person so served as aforesaid to be the individual in the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of said defendant.

DONNA CHRISTIE a white female, approximately 43 years of age, stands approximately 5 feet 4 inches tall, weighs approximately 135 pounds with blonde hair and blue eyes.

  
DEBORAH LaPOINTE

Sworn to before me this  
26<sup>TH</sup> day of July, 2007

NOTARY PUBLIC

Frank J. Panucci  
Notary Public-State of NY  
Qualified in Albany Co.  
No. 4721156  
Comm. Expires July 31, 2010